



NIXON PEABODY LLP

ATTORNEYS AT LAW

Clinton Square
P.O. Box 31051
Rochester, New York 14603-1051
(585) 263-1000
Fax: (585) 263-1600
Direct Dial: (585) 263-1658
E-Mail: nconnolly@nixonpeabody.com

May 27, 2004

VIA HAND DELIVERY

Examiner B.J. Forman
United States Patent and Trademark Office
400 Dulaney
Remsen Building
Alexandria, VA 22313-1450

Re: Request for a Continued Examination (RCE) Application of U.S. Serial
No. 09/528,014, filed March 17, 2000 for COUPLED POLYMERASE
CHAIN REACTION-RESTRICTION ENDONUCLEASE DIGESTION-
LIGASE DETECTION REACTION PROCESS
Inventors: Barany et al.
Cornell Reference No.: CRF D-2472A
Nixon Peabody Reference No.: 19603/481

Dear Examiner Forman:

Per your telephone conversation of May 27, 2004, with Jan Bowers, we are hand delivering a copy of the RCE filed December 22, 2003, for the above-referenced application, which you indicated the Patent Office has no record of receiving. Pursuant to your instructions, enclosed is the return receipt postcard, a copy of the check for \$3,925.00, Request for Continued Examination Transmittal, Fee Transmittal, Petition for Extension of Time, Request for Reconsideration, Declaration of Joseph P. Day, Exhibits 1-10 and Notification Regarding Loss of Entitlement to Small Entity Status and Payment of Deficiency which were filed on December 22, 2003.

Please acknowledge receipt of these documents once you have received them. Thank you.

Very truly yours,

Noreen L. Connolly

NLC/jaw
Enclosure

R773252.1

UTILITY/DESIGN PATENT

(appln) RCE

Date: 12/22/03

Date of O.A.: _____

Received in the U.S. Patent & Trademark Office on the date stamped hereon
via Express Mail #

Case # 19603/481 Applicant Barany et al.

For COUPLED POLYMERASE CHAIN REACTION- Atty: N. Connolly

VERIFIED BY: Asst: JAW

Quality Control: _____

☐ Patent Appln. in _____ pgs. incl. Spec. and _____ Claims

☒ Transmittal in duplicate ☐ _____ pgs. _____ Drawings

☐ Decl. & Power of Atty.

☐ Assoc. Power of Atty.

☐ Assignment in _____ pgs.

☐ Small Entity Statement

☐ Information Disclosure Statement; PTO-1449 in duplicate with _____

☐ Preliminary Amendment in _____ pgs.

☒ Check for \$ 3,925 Filing Fee _____

☐ Check for \$ _____ Fee for Filing Assignment _____

☒ Request for Reconsideration (11 pages) -

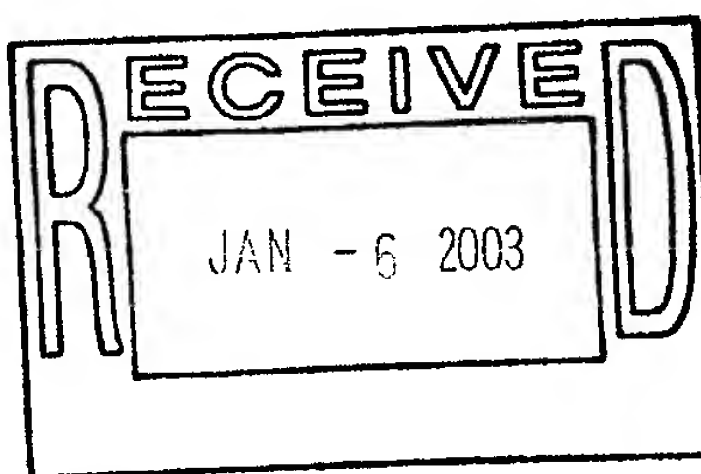
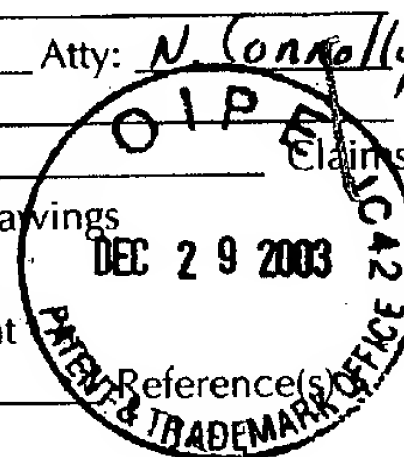
☒ Declaration of Joseph P. Day Under 37 CFR 1.132, together with Exhibits 1-10

☒ Fee Transmittal (1 page) (in duplicate)

☒ Petition for Five Month Extension of Time (1 page) (in duplicate)

☒ Notification of Loss of Entitlement to Small Entity Status & Payment of Deficiency

pursuant to 37 CFR 1.27(a)(2) + 1.25(c)



ENTERED
Nixon Kennedy LLP

JAN 07 2004

FILE 19603/481

DKT JB

Best Available Copy

FEE TRANSMITTAL FOR FY 2003

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$3,925.

Complete if Known

Application Number 09/528,014

Filing Date March 17, 2000

First Named Inventor Francis Barany

Examiner Name B.J. Forman

Art Unit 1634

Attorney Docket No. 19603/481 (CRF D-2472A)

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number 14-1138

Deposit Account Name Nixon Peabody LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$ 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
	-20** =	X 18	= 0
Independent Claims	-3** =	X 86	= 0
Multiple Dependent		X 290	= 0

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
1051	130	2051	65	Surcharge - late filing fee or oath
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet
1053	130	1053	130	Non-English specification
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action
1251	110	2251	55	Extension for reply within first month
1252	420	2252	210	Extension for reply within second month
1253	950	2253	475	Extension for reply within third month
1254	1,480	2254	740	Extension for reply within fourth month
1255	2,010	2255	1,005	Extension for reply within fifth month
1401	330	2401	165	Notice of Appeal
1402	330	2402	165	Filing a brief in support of an appeal
1403	290	2403	145	Request for oral hearing
1451	1,510	1451	1,510	Petition to institute a public use proceeding
1452	110	2452	55	Petition to revive - unavoidable
1453	1,330	2453	665	Petition to revive - unintentional
1501	1,330	2501	665	Utility issue fee (or reissue)
1502	480	2502	240	Design issue fee
1503	640	2503	320	Plant issue fee
1460	130	1460	130	Petitions to the Commissioner
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)
1806	180	1806	180	Submission of Information Disclosure Stmt
8021	40	8021	40	Recording each patent assignment per property (times number of properties)
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))
1801	770	2801	385	Request for Continued Examination (RCE)
1802	900	1802	900	Request for expedited examination of a design application

Other fee (specify) Deficiency Payment Due Pursuant to 1.27(g)(2)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$3,925

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703)

December 22, 2003
Date

Jo Ann Whalen
Signature
Typed or printed name

SUBMITTED BY

Name (Print/Type) Michael L. Goldman

Registration No. 30,727
(Attorney/Agent)

Complete (if applicable)

Telephone (585) 263-1304

Signature

Michael L. Goldman

Date

December 22, 2003

SEND TO: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THIS DOCUMENT HAS VISIBLE AND INVISIBLE FLUORESCENT FIBERS - VIEW UNDER BLACK LIGHT - TRUE WATERMARK IN PAPER - HOLD TO LIGHT TO VIEW

CHECK COPY 12/22/2003 Vendor # 02337 Request # 521149 Check # 4298

CHASE MANHATTAN BANK, N.A. ROCHESTER, NY

IXON PEABODY LLP PATENT DISBURSEMENT ACCOUNT
ATTORNEYS AT LAW P.O. Box 31051
Rochester, NY 14603

THE SUM 3925 DOLLARS AND 00 CENTS

PAY TO THE ORDER OF COMMISSIONER FOR PATENTS AND TRADEMARKS

NON-NEGOTIABLE

DOCUMENT CONTAINS VOID PANTOGRAPH AND MICRO-PRINT SIGNATURE LINE - MAGNIFY TO VIEW

THIS DOCUMENT HAS VISIBLE AND INVISIBLE FLUORESCENT FIBERS - VIEW UNDER BLACK LIGHT - TRUE WATERMARK IN PAPER - HOLD TO LIGHT TO VIEW

12/22/2003 Vendor # 02337 Request # 521149 Check # 4298

CHASE MANHATTAN BANK, N.A. ROCHESTER, NY

IXON PEABODY LLP PATENT DISBURSEMENT ACCOUNT
ATTORNEYS AT LAW P.O. Box 31051
Rochester, NY 14603

THE SUM 3925 DOLLARS AND 00 CENTS

PAY TO THE ORDER OF COMMISSIONER FOR PATENTS AND TRADEMARKS

DOCUMENT CONTAINS VOID PANTOGRAPH AND MICRO-PRINT SIGNATURE LINE - MAGNIFY TO VIEW

⑈004298⑈ ⑆022300173⑆ 512060460⑈

Vendor No: 02337 Request No: 521149 Check Date: 2003-12-22 Check No: 4298

REFERENCE NO.	INVOICE NO.	INVOICE AMOUNT	DESCRIPTION
12/22/2003	Disb	3,925.00	Commissioner of Patents and Trademarks - Filing Fee for Request for Continued Examination (RCE), Five-Month Extension of Time, and Deficiency Payment Due Pursuant to 1.27(g)(2) (19603/481)
TOTAL \$		\$3925.00*	

DETACH STATEMENT BEFORE DEPOSITING CHECK

NIXON PEABODY LLP, P.O. BOX 31051, ROCHESTER, NY 14603

Best Available Copy